

**April 2006**

## **CEQA Environmental Checklist and Determination**

### **Bacterial Indicators Total Maximum Daily Load (TMDL) Coachella Valley Storm Water Channel Riverside County, California**

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board) is the Lead Agency responsible for evaluating potential environmental impacts of the proposed amendment to the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) incorporating the **Total Maximum Daily Load (TMDL) and Implementation Plan for Bacterial Indicators in the Coachella Valley Storm Water Channel (CVSC), Riverside County, California.**

The Secretary for Resources certified the basin planning process as exempt from certain environmental review requirements of the California Environmental Quality Act (CEQA), including preparation of an Initial Study, Negative Declaration, and Environmental Impact Report [Cal. Code Regs., tit. 14, section 15251(g)]. The TMDL staff report and associated documents support a proposed amendment to the Basin Plan, and, therefore, are a part of the basin planning process. Consequently, pursuant to the Secretary's certification of the Regional Board's basin planning process, the staff report, associated documents, and proposed amendment are considered substitute environmental documents that may be relied on in lieu of an Initial Study, Negative Declaration, and Environmental Impact Report. These substitute environmental documents consist of the following:

- Regional Board Resolution
- Basin Plan Amendment
- TMDL Staff Report, with Economic Impacts Assessment
- CEQA Environmental Checklist and Determination
- Natural Environment Study

Any regulatory program of the Regional Board certified by the Secretary for Resources as an exempt regulatory program, however, must satisfy certain documentation requirements for adoption or approval of amendments to the Basin Plan. These requirements are prescribed in the California Code of Regulations, Title 23, Section 3777(a). In pertinent part, this regulation states that any plan proposed for board approval or adoption must be accompanied by a completed environmental checklist and a written report that contains (1) a brief description of the proposed activity; (2) reasonable alternatives to the proposed activity; and (3) mitigation measures to minimize any significant adverse environmental impacts of the proposed activity. This required information is presented below.<sup>a</sup>

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<sup>a</sup> The headings and environmental checklist questions are based on the sample form provided as Appendix G to the guidelines for implementation of CEQA (CEQA Guidelines) [Cal. Code Regs., tit. 14, section 15000 et seq.]. The CEQA Guidelines indicate that the sample form may be used to meet the requirements for an Initial Study. [Cal. Code Regs., tit. 14, section 15063(f).]

**Project Title**

Amendment to the California Regional Water Quality Control Plan for the Colorado River Basin Region to establish the Bacterial Indicators Total Maximum Daily Load Coachella Valley Storm Water Channel, Riverside County, California

**Lead Agency Name and Address**

California Regional Water Quality Control Board, Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

**Contact Person and Phone Number**

Joan Stormo, TMDL Development/ Water Quality Policy Unit Chief, (760) 776-8982

**Project Location**

Colorado River Basin Region (southeastern California), Riverside County

**Project Sponsor's Name and Address**

See Lead Agency

**General Plan Designation**

Not applicable

**Zoning**

Not applicable

**Project Description**

The proposed project is an amendment to the Basin Plan that establishes the Bacterial Indicators TMDL, CVSC, Riverside County, California. The amendment also incorporates a TMDL Implementation Plan, as required by Section 13242 of the Porter-Cologne Water Quality Control Act. The Implementation Plan occurs in two phases, with Phase II occurring only if Phase I does not meet the TMDL water quality objectives (WQOs) specified. Phase I requires that responsible parties: (a) monitor and report on nutrients and the bacteria indicator *E. coli*, (b) develop and implement pathogen-reduction plans in accordance with a time schedule. Phase II potentially involves: (a) implementation of site-specific management practices, and (b) revision of WQOs. A separate CEQA analysis will be conducted before Phase II is implemented. The Basin Plan is applicable to the Colorado River Basin Region of California, as set forth in the California Water Code, Division 7, Section 13200(i). Compliance with the TMDL is expected to result in the CVSC being unimpaired by pathogens and protective of beneficial uses.

Under the federal Clean Water Act (CWA), water quality standards (WQSs) consist of beneficial uses (BUs), numerical or narrative WQOs, and antidegradation requirements. Section 303(d) of the CWA requires states to identify waters that do not meet applicable WQSs with technology-based controls alone. States are required to submit CWA Section 303(d) Lists and TMDL priorities to the United States Environmental Protection Agencies (USEPA) for approval. States are also required to develop TMDLs for waters on the 303(d) List and submit developed TMDLs to the USEPA for approval. A TMDL quantifies the amount of a pollutant that a water body can receive and still meet WQSs, and allocates pollutant loadings of that water body to point and nonpoint sources (CWA Section 303(d)(4)(A), (B)). USEPA has oversight of the CWA Section

303(d) program (hereinafter, “303(d)”) and must approve or disapprove the State’s 303(d) List and each specific TMDL. If the State fails to develop a TMDL, or if USEPA rejects the State’s TMDL, USEPA must develop one (CWA 303(d) (2), 40 CFR 130.6(c)).

CVSC is located in Coachella Valley in Riverside County, California. The Coachella Valley is bounded by the San Bernardino and Little San Bernardino Mountains to the north, the San Jacinto Mountains, Santa Rosa Mountains, and the Salton Sea to the south. The channel is unlined and extends approximately 17 miles from the City of Indio to the Salton Sea. The CVSC is an engineered extension of the Whitewater River and serves as a repository and drainage way for irrigation return water, treated wastewater, and urban and stormwater runoff. Agricultural return water dominates CVSC flow to the Salton Sea, although four permitted facilities discharge to the channel as well—three municipal wastewater treatment plants and a fish farm. The CVSC and its tributary drains provide habitat for many types of wildlife including migratory songbirds and waterfowl, coyotes, raccoons and rodents. The Basin Plan states that designated beneficial uses of the CVSC<sup>b</sup> include: freshwater replenishment (FRSH); water contact recreation (REC I)<sup>c</sup>; water non-contact recreation (REC II)<sup>b</sup>; warm freshwater habitat (WARM); wildlife habitat (WILD); and preservation of rare threatened, or endangered species (RARE)<sup>d</sup> (California Regional Water Quality Control Board as amended to date).

The CVSC is on California’s 303(d) List for impairment by pathogens of unknown sources. Pathogen indicator bacteria such as total coliform, fecal coliform, *E. coli*, and enterococci have been used to indicate the presence of fecal pollution in water bodies. The USEPA recommends using either *E. coli* or enterococci WQOs for protection of bathers from gastrointestinal illness in fresh recreational waters such as CVSC, and only enterococci WQOs for marine recreational waters (USEPA 2002). Indicator bacteria do not cause illness directly, but high concentrations of enterococci and/or *E. coli* that exceed WQOs indicate the high likelihood of infectious diseases.

Bacterial indicators occur in CVSC at levels that violate numerical WQOs established by the Regional Board to protect CVSC BUs. During the development of the TMDL, water quality samples were collected monthly at eight locations in the CVSC, from February to September 2003, to evaluate for bacteria loading. Eleven samples of the 59 samples collected exceeded the 400 MPN/ 100 ml *E. coli* WQO in the Region’s Basin Plan. These violations indicate CVSC BUs are impaired. Also, a DNA monitoring and analysis study was conducted from October 2003 to March 2004 to identify sources of bacteria. *E. coli* strains in water samples were isolated, followed by ribotype fingerprinting of the isolated bacterial strains, and ribotypes compared to the Institute of Environmental Health source library in Seattle, Washington. The CVSC’s main sources of pathogens (represented by *E. coli*) are avian (40%), human (25%), rodents plus other wild mammals (25%), and livestock (<3%). Human sources include sewage, wastewater effluent, and wastewater treatment plants. Stormwater and urban runoff appears to play a significant role, but the actual contribution is not well understood and thus requires more study.

The Basin Plan Amendment to incorporate the TMDL:

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<sup>b</sup> Section of perennial flow from approximately Indio to the Salton Sea

<sup>c</sup> Unauthorized use

<sup>d</sup> Rare, threatened, or endangered wildlife exists in or utilizes some of this waterway

- Summarizes TMDL elements, including Project Definition, Watershed Description, Data Analysis, Source Analysis, Critical Conditions and Seasonal Variations, Numeric Target, Linkage Analysis, and TMDL Calculation and Allocation;
- Establishes numeric targets that are consistent with Basin Plan WQOs, and applicable throughout the year and in the entire stretch of CVSC:

|                     |                                    |    |                |
|---------------------|------------------------------------|----|----------------|
| Indicator Parameter | 30-Day Geometric Mean <sup>a</sup> | Or | Single Sample  |
| <i>E. coli</i>      | 126 MPN <sup>b</sup> /100 ml       |    | 400 MPN/100 ml |

a. Based on a minimum of no less than 5 samples equally spaced over a 30-day period.

b. Most probable number.

- Incorporates a TMDL Implementation Plan, as required by Section 13242 of the Porter-Cologne Water Quality Control Act, that includes designation of responsible parties and cooperating agencies/organizations, a description of required and recommended actions, time schedules, and Regional Board compliance monitoring;
- Describes TMDL enforcement;
- Describes the Regional Board TMDL review process;
- Includes Regional Nonpoint Source Control Plan elements; and
- Updates and/or deletes dated information that is no longer accurate.

### Surrounding Land Uses and Setting

The project area is located in southeastern California in Riverside County. Land uses in the vicinity include open wildland, agriculture, and urban.

### Other Public Agencies Whose Approval Is Required (for Permits, Financing Approval, Participation Agreement, Etc.)

None

### Environmental Factors Potentially Affected

The environmental factors checked below involve at least one impact that is a “potentially significant impact,” as indicated by the checklist on the following pages.

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources       | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources          | <input type="checkbox"/> Geology and Soils      |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning  |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population and Housing |

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation and Traffic |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |   |

## ENVIRONMENTAL CHECKLIST SUMMARY

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| <b>1. AESTHETICS</b> – Would the project:  |                                      |   |                                    |                                     |
| a) Have any substantial adverse effect on a scenic vista?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <br><b>2. AGRICULTURE RESOURCES</b> -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: |                                      |   |                                    |                                     |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or Williamson Act contract?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|                                      |   |                                    |              |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|---|------------------------------------|--------------|

**3. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**4. BIOLOGICAL RESOURCES** -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy ordinance?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>5. CULTURAL RESOURCES -- Would the project:</b>   |                                      |   |                                    |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>6. GEOLOGY AND SOILS -- Would the project:</b>  |                                      |   |                                    |                                     |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss injury, or death involving:  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |                                      |   |                                    |                                     |
| ii) Strong seismic ground shaking?   |                                      |   |                                    |                                     |
| iii) Seismic-related ground failure, including liquefaction?   |                                      |   |                                    |                                     |
| iv) Landslides?  |                                      |   |                                    |                                     |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?                               | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:</b>  |                                      |   |                                    |                                     |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>8. HYDROLOGY AND WATER QUALITY -- Would the project:</b>   |                                      |   |                                    |                                     |
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support the existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>9. LAND USE AND PLANNING -- Would the project:</b>   |                                      |   |                                    |                                     |
| a) Physically divide an established community?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>10. MINERAL RESOURCES -- Would the project:</b>  |                                      |   |                                    |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <b>11. NOISE -- Would the project result in:</b>  |                                      |   |                                    |                                     |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan ordinance, or applicable standards of other agencies?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**12. POPULATION AND HOUSING -- Would the project:**

|   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**13. PUBLIC SERVICES -- Would the project:**

|   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection?  |                          |                          |                          |                                     |
| Police protection?  |                          |                          |                          |                                     |
| Schools?  |                          |                          |                          |                                     |
| Parks?  |                          |                          |                          |                                     |
| Other public facilities?  |                          |                          |                          |                                     |

**14. RECREATION -- Would the project:**

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**15. TRANSPORTATION AND TRAFFIC --** Would the project:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**16. UTILITIES AND SERVICE SYSTEMS --** Would the project:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

#### 17. MANDATORY FINDINGS OF SIGNIFICANCE --

Does the project:

|   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## DETERMINATION

On the basis of this initial evaluation:

  X   I find that the proposed Basin Plan Amendment could not have a significant effect on the environment.

       I find that although the proposed Basin Plan Amendment could have a significant effect on the environment, there will not be a significant effect in this case because feasible alternatives and/or feasible mitigation measures exist that would substantially lessen any significant impact. These alternatives are discussed in the attached written report.

       I find that the proposed Basin Plan Amendment may have a significant effect on the environment. There are no feasible alternatives and/or mitigation measures available which would substantially lessen any significant adverse impacts. See attached written report for a discussion of this determination.

\_\_\_\_\_  
ROBERT PERDUE  
Executive Officer

\_\_\_\_\_  
Date

## ENVIRONMENTAL CHECKLIST DISCUSSION

This section contains the:

- (a) environmental setting,
- (b) analysis of reasonably foreseeable actions (i.e., likely implementation actions), and
- (c) detailed discussion of the Environmental Checklist Summary, explaining the reasons for selection of impact categories, and mitigation measures where appropriate.

For the purpose of this CEQA Checklist and Determination, the “proposed project” includes the amendment and reasonably foreseeable actions (i.e., likely implementation actions). The following discussion fulfills requirements of California Code of Regulations, Title 23, Section 3777, subdivisions (a)(1) through (3); Public Resources Code section 21159, subdivisions (a)(1) through (3); and California Code of Regulations, Title 14, section 15187, subdivisions (b) and (c)(1) through (3). In addition, this document provides an analysis of reasonably foreseeable environmental impacts resulting from project implementation, and also includes an analysis of feasible reasonably foreseeable mitigation measures (where appropriate) that would avoid or eliminate identified impacts.

### **Environmental Setting**

CVSC is located in Riverside County in the Coachella Valley. The valley is dominated by deciduous shrubland (desert scrub), reflecting the desert region in which the valley is located. This area has an arid climate with less than one inch of annual rainfall on the valley floor.

The unlined CVSC starts in the City of Indio, and winds its way through about 17 miles of urban land, agricultural land, and desert scrub until the CVSC empties into the northern end of the Salton Sea. The Channel is an engineered extension of the Whitewater River and serves as a depository and drainage way for irrigation return water, treated wastewater, storm water runoff, and urban runoff. The CVSC is maintained by the Coachella Valley Water District (CVWD) for flood protection in the valley and serves as a master drain for the area from the City of Indio to the Salton Sea.

Agricultural return water dominates the CVSC’s flow to the Salton Sea. However, the Channel also receives discharges from four National Pollutant Discharge Elimination System (NPDES) permitted facilities—three municipal wastewater treatment plants and an aquaculture facility. Average annual flows in the Channel have been decreasing due to changes in agriculture practices and suburban development.

CVSC and its tributaries provide important habitat for many kinds of wildlife. The CVSC empties into the Salton Sea, which is one of the few remaining wetland environments along the Pacific Flyway. It supports a substantially different ecosystem than that of the Salton Sea, despite the Sea receiving agricultural discharges and other relatively freshwater flows from the CVSC, New River, Alamo River, and agricultural drains. This is due to physical and chemical differences, the most important being the Salton Sea’s high salinity level. Accordingly, the freshwater channel and saline Salton Sea fulfill a critical role in the ecological importance of this desert region.

### **Likely Implementation Measures**

The TMDL Implementation Plan occurs in two phases. Phase I is to be completed within 3 years of USEPA approval of the TMDL. Phase II will be implemented if WQOs are not achieved by the end of Phase I. Phase II actions will be based on assessment of Phase I data and progress, and will be completed within 5 years of the end of Phase I. A separate CEQA analysis will be done before Phase II is implemented.

Likely Phase I implementation actions are described below.

- **Monitoring additional constituents in stormwater.** Municipal stormwater permits for Riverside County Flood Control, CVWD, and co-permittees will be revised by the Regional Board to include monitoring and reporting for *E. coli*. Regional Board staff also will issue similar stormwater permits to other entities/municipalities discharging to CVSC (if any).
- **Implementation of water quality monitoring program.** CVWD is to develop and implement a two-year water quality monitoring program for gathering data to better characterize pathogen conditions and sources. The program must be conducted according to a Quality Assurance Project Plan approved by the Regional Board Executive Officer. Likely actions include collecting water samples in the CVSC and tributary drains.
- **Implementation of a pathogen reduction plan for tribal land.** USEPA is to develop a plan to ensure that waste discharges from tribal land (septic systems and otherwise) do not violate or contribute to a violation of the TMDL. USEPA is to submit a technical report to the Regional Board that describes measures taken and/or proposed to reduce these sources. Likely actions include owner/operator education.
- **Monitoring additional constituents at NPDES facilities.** NPDES facilities are to monitor and report on *E. coli* in their effluent, as specified in upcoming revisions of their NPDES permits. Likely actions include adding these constituents to existing effluent monitoring programs without the need to significantly change current procedures (e.g., stations, frequency, length of time).
- **Implementation of Tracking Plan by Regional Board.** Regional Board staff is to develop a plan to conduct TMDL surveillance and track TMDL activities. The plan is due 90 days after USEPA approves the TMDL, and will include the following objectives:
  - Assess, track, and account for practices already in place;
  - Measure milestone attainment;
  - Determine compliance with NPDES permits, WLAs, and LAs; and
  - Determine progress toward achieving WQs.

Likely Phase II implementation actions (should they be necessary) are described below. A separate CEQA analysis will be done before Phase II is implemented. However, Phase II actions are described to give a better understanding of the scope of the project.

- **Implementation of Site-Specific Management Practices.** The Regional Board may require that responsible parties implement site-specific management practices to control anthropogenic or municipal wastewater discharges into CVSC.
- **Revision of WQOs.** The Regional Board may revise WQOs for CVSC. This involves completing a Use Attainability Analysis to develop a Site Specific Objective to address natural, uncontrollable background sources (e.g., wildlife) of pathogens. A Use Attainability Analysis is a structured scientific assessment that may require intensive field study, and likely would be contracted to a private consultant who would be the responsible party for the analysis. Regional Board staff would be the responsible party for development of the Site Specific Objective. Potential actions include collecting water samples and assessing habitat conditions in the CVSC and tributary drains.

The Regional Board may implement aggressive enforcement actions against those responsible for pathogens entering CVSC. Responsible parties targeted for such actions may include, but are not limited to: (a) owners and operators of facilities that allow discharge of untreated waste, and (b) stormwater permittees, municipalities, and Indian Tribes (through USEPA) that do not protect the Channel from their direct or indirect discharge of waste. Enforcement actions may include: (a) requiring Reports of Waste Discharge, (b) adopting Waste Discharge Requirements, (c) adopting Cleanup and Abatement Orders, (d) issuing Administrative Civil Liability Complaints, and (e) adopting referrals of recalcitrant violators to the District Attorney or Attorney General for criminal prosecution or civil enforcement.

California law prohibits the Regional Board from specifying design, location, type of construction, or particular manner in which compliance may be had, pursuant to California Water Code (CWC) Section 13360. Hence, responsible parties may use any effective implementation action so long as the law does not prohibit the action. Responsible parties, as Lead Agencies, must comply with CEQA requirements (Public Resources Code Section 21159.2, State CEQA Guidelines, Title 14, Section 15189), and will be responsible for their own CEQA analysis and mitigation measures for reducing potential significant environmental impacts should their actions fall outside the scope of this CEQA analysis.

## **Detailed Discussion of the Environmental Checklist Summary**

### **I. Aesthetics**

Would the project:

a) Have any substantial adverse effect on a scenic vista?

**No Impact.** The project will not have a substantial adverse effect on a scenic vista. Phase I actions and reduced pathogen levels will not affect such resources. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself). This land is not sensitive with respect to scenic vistas.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No Impact.** The project will not substantially damage scenic resources within a state scenic highway. This land is not sensitive with respect to scenic resources. Phase I actions and reduced pathogen levels will not affect such resources, even if they occurred on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

**No Impact.** The project will not substantially degrade the existing visual character or quality of the site and its surroundings. Phase I actions and reduced pathogen levels will not affect such resources, even if they occurred on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**No Impact.** The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Phase I actions and reduced pathogen levels will not cause glare. Implementation actions are expected to occur in daylight hours.

## **II. Agriculture Resources**

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact.** The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), to non-agricultural use. Phase I actions and reduced pathogen levels will not affect such resources. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

b) Conflict with existing zoning for agricultural use, or Williamson Act contract?

**No Impact.** The project does not conflict with existing zoning for agricultural use, or the California Land Conservation Act known as the Williamson Act. Phase I actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

**No Impact.** The project does not involve other changes in the existing environment which could result in conversion of Farmland to non-agricultural use. Phase I actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CCVSC itself).

### **III. Air Quality**

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

**No Impact.** The project does not conflict with or obstruct implementation of the applicable air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**No Impact.** The project will not violate air quality standards or contribute substantially to an existing or projected air quality violation. Particulate emissions (PM10) and ozone in the Coachella Valley exceed Federal and State Ambient Air Quality Standards (California Air Resources Board 2004). Particulate emissions and ozone are due to: (a) extensive disturbances of dry soil from agriculture and off-road vehicles, (b) pollutant transfer from western Riverside County, (c) industrial activities in the City of Mexicali, Mexico, which cause pollutants to blow into Imperial and Riverside counties, and (d) nocturnal air stagnation and ground-based temperature inversions. (Inversions lead to poor air quality at night that continues over into early morning.) Phase I actions and reduced pathogen levels will not contribute substantially to the existing air quality violations.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**No Impact.** The contribution attributable to the project is not cumulatively considerable and, as a consequence, will have no impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

**No Impact.** The project will not expose sensitive receptors to substantial pollutant concentrations. Phase I actions and reduced pathogen levels will not produce substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people?

**No Impact.** The project will not create objectionable odors.

#### **IV. Biological Resources**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**No Impact.** The project will not have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The project area supports over 100 special status wildlife species, including 20 threatened and/or endangered species. Many of these species occur in wetland habitat (freshwater and saltwater marsh) where CVSC meets the Salton Sea. Species also occur in riparian habitat along the channel and its tributary drains, where this vegetation provides valuable cover. Some special status wildlife species also use desert scrub and open water within the project area. (Species and habitats are discussed in more detail in the Natural Environment Study for this project). Phase I actions and reduced pathogen levels will not have a substantial adverse effect on these species or their habitats.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**No Impact.** The project will not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The project area supports small corridors of riparian habitat, which is spaced uncommonly along the CVSC and its tributary drains. Riparian habitat provides valuable vegetation cover for sensitive bird species. Additionally, wetland habitat (freshwater and saltwater marsh) occurs where the channel meets the Salton Sea, and also uncommonly in very small isolated areas in the channel and its tributaries. (Species and habitats are discussed in more detail in the Natural Environment Study for this project). Phase I actions and reduced pathogen levels will not have a substantial adverse effect on these habitats.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact.** The project will not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means.

Wetlands (freshwater marsh and saltwater marsh) habitat occurs at the CVSC's outlet at the Salton Sea, especially about 100 yards inland from the Sea shore. Very small isolated freshwater marsh areas occur uncommonly in the channel and its tributary drains. This habitat is characterized by emergent vegetation in standing water or saturated soil. Phase I actions and reduced pathogen levels will not have a substantial adverse effect on this habitat.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No Impact.** The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The endangered desert pupfish is present in multiple drains that empty directly into the Salton Sea, including drains near the CVSC, but has not been documented within the channel or its tributary drains. Phase I actions and reduced pathogen levels will not have a substantial effect on fish/wildlife movement or use of nursery sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy ordinance?

**No Impact.** The project does not conflict with any local policies or ordinances protecting biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No Impact.** The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project does not conflict with the water transfer plan (i.e., Quantification Settlement Agreement for the Colorado River) signed in the Fall of 2003 by the Imperial Irrigation District and other involved parties.

Additionally, the project does not conflict with the Draft Final Coachella Valley Multiple Species Habitat Conservation Plan (Draft Final Plan), which was adopted by the Coachella Valley Association of Governments (CVAG) on February 2, 2006, following a public comment period that ended on March 7, 2005. (Area cities may or may not adopt the Draft Final Plan in 2006.) The CVSC is located within the project area of the Draft Final Plan. The Draft Final Plan is intended to address the future urbanization of thousands of acres of undeveloped land, due to a projected doubling of Riverside County's population by 2020 (Coachella Valley Mountains Conservancy 2004). The Draft Final Plan identifies 21 conservation areas, which consist of existing conservation lands and private lands. These areas will serve as a reserve system for 27 species and 27 natural communities.

The project will not conflict with the Draft Final Plan. Project implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), and not within undeveloped land or proposed conservation areas.

## **V. Cultural Resources**

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

**No Impact.** The project will not cause a substantial adverse change in the significance of historical resources. The Regional Board is not aware of any such resources in the project area, despite holding a CEQA Scoping Meeting on January 30, 2003, early in the development stage of this TMDL. Local tribes and tribal agencies were invited (via letter) to attend this meeting to discuss CEQA-related issues that should be brought to the Regional Board's attention. Additionally, a notice for this CEQA Scoping Meeting was published in local newspapers, libraries, and post offices. The Regional Board did not receive any comments identifying the existence of or probable existence of sensitive historical, archaeological, unique paleontological, or unique geological resources, or human remains interred outside of formal cemeteries. Local tribes and tribal agencies invited to comment at the CEQA scoping meeting included the Agua Caliente Band of Cahuilla Indians, Twentynine Palms Tribal Environmental Protection Agency, and Torres-Martinez Desert Cahuilla Indian Tribe.

Phase I actions and reduced pathogen levels will not affect such resources, even if the resources exist on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**No Impact.** The project will not cause a substantial adverse change in the significance of archaeological resources. The Regional Board is not aware of any such resources in the project area, even after holding a CEQA Scoping Meeting. (Please see Question V.a. for further discussion of the CEQA Scoping Meeting, likelihood of resources, and communication with local tribes.)

Phase I actions and reduced pathogen levels will not affect such resources, even if the resources exist on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**No Impact.** The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The Regional Board is not aware of any such resources in the project area, even after holding a CEQA Scoping Meeting. (Please see Question V.a. for

further discussion of the CEQA Scoping Meeting, likelihood of resources, and communication with local tribes.) Phase I actions and reduced pathogen levels will not affect such resources, even if the resources exist on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

d) Disturb any human remains, including those interred outside of formal cemeteries?

**No Impact.** The project will not disturb any human remains, including those interred outside of formal cemeteries. The Regional Board is not aware of any such resources in the project area, despite holding a CEQA Scoping Meeting. (Please see Question V.a. for further discussion of the CEQA Scoping Meeting, likelihood of resources, and communication with local tribes.) Phase I actions and reduced pathogen levels will not affect such resources, even if the resources exist on-site. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

## **VI. Geology and Soils**

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss injury, or death involving:

Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Strong seismic ground shaking?

Seismic-related ground failure, including liquefaction?

Landslides?

**No Impact.** The project potentially may expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving seismic activity. However, the risk is not substantial, and therefore the project will result in no impact.

Imperial Valley is one of the most active seismic zones in North America, with numerous historic earthquakes. The Valley experiences continuous low-to-moderate level seismic activity. A Richter scale magnitude 8 earthquake might occur once per 160 years, a magnitude 7 every thirteen years, a magnitude 4 every ten years, and a magnitude 3 about ten to twenty times per year. The area had two magnitude 6 quakes in 1987. Additionally, some areas in the Valley have a perched groundwater table. The combination of loose, fine sediments, high groundwater, and a potential for seismic activity create a potential for soil liquefaction. Therefore, the potential for structural failure is inherently considerable for the area.

Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself). Phase I actions are not individually or cumulatively significantly different than current activities. People implementing these actions may be exposed to seismic activity because of their presence in an earthquake-prone area, but no more so than they would have been without these specific implementation actions. Therefore, the project will not result in

substantial human risk from fault rupture, strong seismic ground-shaking, seismic-related ground failure, or landslides.

b) Result in substantial soil erosion or the loss of topsoil?

**No Impact.** The project will not result in substantial soil erosion or the loss of topsoil. Phase I actions and reduced pathogen levels will not affect such resources. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**No Impact.** Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself). Phase I actions are not individually or cumulatively significantly different than current activities. The actions that are likely to be implemented do not involve structures that would affect or disturb soils to any significant degree such that the soils would become unstable, result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

**No Impact.** Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself). Phase I actions are not individually or cumulatively significantly different than current activities. The actions that are likely to be implemented would not affect soil to any significant degree such that they would create a substantial risk to life or property.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

**No Impact.** The project does not involve the use of septic tanks or alternative wastewater disposal systems.

|   |
|---|
| <b>VII. Hazards and Hazardous Materials</b> |
|---|

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**No Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project does not involve use of hazardous materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**No Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project does not involve use of hazardous materials.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**No Impact.** The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project does not involve use of hazardous materials.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact.** The project will not be located on a site which is included on a list of hazardous materials sites that would result in creation of a significant hazard to the public or the environment. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), which are not identified as hazardous materials sites.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

**No Impact.** The project is not located within an airport land use plan or within two miles of a public airport or public use airport, or would result in a safety hazard for people residing or working in the project area. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**No Impact.** The project is not located within the vicinity of a private airstrip. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), which generally are not corridors for emergency response or evacuation.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**No Impact.** The project may expose people or structures to a risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. However, the risk is not substantial, and therefore the project will result in no impact.

Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself) that is not adjacent to urban/wildland interfaces. Additionally, Phase I actions are not significantly different than current activities. People implementing these actions may be exposed to wildland fires, but no more so than they would have been without these specific implementation actions. Therefore, the project will not result in a significant risk to people or structures of loss, injury or death involving wildland fires.

## **VIII. Hydrology and Water Quality**

Would the project:

a) Violate any water quality standards or waste discharge requirements?

**No Impact.** The project will not violate WQSs or waste discharge requirements. Phase I actions and reduced pathogen levels will not violate such standards or requirements. Rather, the project expects to end current violations of WQSs.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support the existing land uses or planned uses for which permits have been granted)?

**No Impact.** The project does not involve the extraction or recharge of groundwater supplies. Phase I actions and reduced pathogen levels will not affect such resources.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

**No Impact.** The project does not require alteration of the existing drainage pattern of the site or area, and would not result in substantial erosion or siltation on- or off-site. Phase I actions and reduced pathogen levels will not affect such resources.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**No Impact.** The project does not require alteration of the existing drainage pattern of the site or area, and would not result in a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Alteration of drainage patterns (e.g., re-routing surface waters, increasing paved areas, increasing agricultural runoff) is not a foreseeable method of compliance with the TMDL.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

**No Impact.** The project will not create or contribute runoff water. Phase I actions and reduced pathogen levels will not affect runoff water.

f) Otherwise substantially degrade water quality?

**No Impact.** The project will not otherwise substantially degrade water quality. Rather, the project expects to improve water quality conditions by reducing excess pathogens.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

**No Impact.** The project will not place housing within a 100-year flood hazard area. The project does not involve the creation of housing.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

**No Impact.** The project will not place structures which would impede or redirect flood flows anywhere within a 100-year flood hazard area. The project does not involve the creation of structures.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

**No Impact.** The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

i) Inundation by seiche, tsunami, or mudflow?

**No Impact.** The project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow.

## **IX. Land Use and Planning**

Would the project:

a) Physically divide an established community?

**No Impact.** The project will not physically divide an established community. Phase I actions and reduced pathogen levels will not divide communities. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), and will not result in any land use or planning impacts.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**No Impact.** The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), and will not result in any land use or planning impacts.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**No Impact.** The project will not conflict with any applicable habitat conservation plan or natural community conservation plan. CVSC is located within the project area of the Draft Final Coachella Valley Multiple Species Habitat Conservation Plan, which was adopted by the Coachella Valley Association of Governments (CVAG) on February 2, 2006, following a public comment period that ended on March 7, 2005. (Area cities may or may not adopt the Draft Final Plan in 2006.) The Draft Final Plan is intended to address the future urbanization of thousands of acres of undeveloped land, due to a projected doubling of Riverside County's population by 2020 (Coachella Valley Mountains Conservancy 2004). The Draft Final Plan identifies 21 conservation areas, which consist of existing conservation lands and private lands. These areas will serve as a reserve system for 27 species and 27 natural communities.

The project will not conflict with the Draft Final Plan. Project implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself), and not within undeveloped land or proposed conservation areas.

## **X. Mineral Resources**

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

**No Impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**No Impact.** The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

## **XI. Noise**

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan ordinance, or applicable standards of other agencies?

**No Impact.** The project will not result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan ordinance, or applicable standards of other agencies. Phase I actions and reduced pathogen levels will not exceed noise standards.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**No Impact.** The project will not result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Phase I actions and reduced pathogen levels will not generate such vibrations or noise.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**No Impact.** The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Phase I actions and reduced pathogen levels will not generate such noise.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**No Impact.** The project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Phase I actions and reduced pathogen levels will not generate such noise.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The project is not located within the vicinity of a private airstrip.

## **XII. Population and Housing**

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact.** The project will not induce substantial population growth in an area, either directly or indirectly. Phase I actions will not involve construction of buildings or infrastructure.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** The project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Phase I actions will not necessitate removal of housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**No Impact.** The project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. Phase I actions will not necessitate displacement of people.

### **XIII. Public Services**

Would the project:

(a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

**No Impact.** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives for public services. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself) that is not used for such public services.

### **XIV. Recreation**

Would the project:

(a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact.** The project will not increase the use of existing neighborhood and regional parks or other recreational facilities. Phase I actions will not increase park or recreational facility use.

(b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The project will not include recreational facilities or require the construction or expansion of recreational facilities. Phase I actions will not include or require recreational facility use.

### **XV. Transportation and Traffic**

Would the project:

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

**No Impact.** The project will not cause an increase in traffic which is substantial to the existing traffic load and capacity of the street system. Some actions may require vehicle travel along the CVSC, but this will be unsubstantial in relation to existing traffic. Therefore, this project will have no impact on existing traffic load and street capacity.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

**No Impact.** The project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. Some actions may require vehicle travel along the CVSC, but this will be unsubstantial in relation to county congestion. Therefore, this project will have no impact on a level of service for roads or highways.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**No Impact.** The project will not result in a change in air traffic patterns. Implementation actions do not involve or affect air traffic.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**No Impact.** The project will not substantially increase hazards due to design features or incompatible uses. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself). Some actions may require foot or vehicle travel in and along the CVSC. However, such travel will not cause an incompatible use hazard.

e) Result in inadequate emergency access?

**No Impact.** The project will not result in inadequate emergency access. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself) that typically is not used for emergency access.

f) Result in inadequate parking capacity?

**No Impact.** The project will not result in inadequate parking capacity. Implementation actions are expected to occur within established infrastructure (e.g., NPDES facilities, the CVSC itself).

Some actions may require vehicle travel along the CVSC, where people typically do not park their vehicles. Therefore, this project will not result in inadequate parking capacity.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

**No Impact.** The project does not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). Implementation actions do not involve or affect alternative transportation.

## **XVI. Utilities and Service Systems**

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**No Impact.** The project will not exceed wastewater treatment requirements of the applicable Regional Board. Phase I actions will not exceed wastewater treatment requirements.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact.** The project will not require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact.** The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**No Impact.** The project has sufficient water supplies available to serve the project from existing entitlements and resources. The project will not need new or expanded entitlements.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**No Impact.** The project will result in a determination by the wastewater treatment provider which serves the project area that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**No Impact.** The project does not involve landfills, and will not generate additional garbage to be accommodated by a landfill.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

**No Impact.** The project complies with federal, state, and local statutes and regulations related to solid waste. Implementation actions do not involve solid waste.

## **XVII. Mandatory Findings of Significance**

Does the project:

a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

**No Impact.** The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Rather, the project is expected to improve the environment by reducing excess pathogens, thereby returning the area to a more natural state.

b) Have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**No Impact.** The project will not have impacts that are individually limited, but cumulatively considerable. Cumulative impacts are analyzed by looking at the individual project in connection with effects of past projects, other current projects, and probable future projects.

Phase I actions likely will involve collection of water samples in the CVSC, its tributaries, and within established infrastructure (e.g., NPDES facilities). Such actions will not have a cumulatively considerable impact on the channel or its tributaries.

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**No Impact.** The project does not have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. Rather, the project is expected to reduce problems (e.g., unsafe pathogen levels) that may adversely affect human beings.

## ALTERNATIVES DISCUSSION

The Preferred Alternative has been the basis for all discussions in this CEQA Environmental Checklist and Discussion. However, other alternatives exist, including a No Action Alternative, a Faster Compliance Timeline Alternative, and an Increased Regulatory Oversight Alternative. Each alternative is described below, with an assessment of impacts upon biological resources.

### Preferred Alternative

The Preferred Alternative is defined as the Basin Plan amendment to incorporate the subject TMDL and corresponding Implementation Plan. This alternative implements measures that will bring CVSC into compliance with existing Basin Plan WQOs. Phase I requires that responsible parties: (a) implement a two-year water quality monitoring program, and/or (b) monitor *E. coli* in NPDES facility effluent. Phase I is to be completed within 3 years of USEPA approval of the TMDL. Phase II will be implemented if WQOs are not met at the end of Phase I. Phase II actions will be based on assessment of Phase I data and progress. Potential Phase II actions include enforcement actions and revision of WQOs. Phase II is to be completed within 5 years of the end of Phase I. The time schedule is moderately aggressive yet reasonable, allowing sufficient time for responsible parties to comply with Implementation Plan provisions. This alternative will decrease existing pathogen levels, reduce the human health threat, and protect beneficial uses. This alternative will result in no impact upon biological resources because current pathogen levels do not appear to put wildlife population health at risk based on: (a) wildlife being a major source of pathogens, and (b) a lack of wildlife disease outbreaks.

### No Action Alternative

The No Action Alternative is defined as no Regional Board adoption of a Basin Plan Amendment to incorporate the subject TMDL and corresponding Implementation Plan. This means that pathogen levels in CVSC will continue to: (a) violate Basin Plan WQOs, (b) impair beneficial uses, and (c) place the health of human communities at unacceptable risk. This alternative does not comply with the CWA or meet the purpose of the Preferred Alternative, which is to eliminate ongoing water quality violations. It is precisely because of these violations that the law dictates a regulatory action be taken. This alternative would result in no impact upon biological resources (as in the Preferred Alternative). However, this alternative is not acceptable because it would allow current pathogen levels to continue to put human health at risk, and would not protect beneficial uses as required by law.

### Faster Compliance Timeline Alternative

The Faster Compliance Timeline Alternative is defined as the Preferred Alternative with Phase I compliance to be achieved within one year (instead of three years) of USEPA approval of the TMDL. This alternative is not feasible or reasonable, considering the amount of data collection required to assess conditions/sources and the amount of time needed by responsible parties to develop/implement plans to reduce pathogen levels. This alternative would decrease existing pathogen levels, reduce the human health threat, protect beneficial uses, and result in no impact upon biological resources (as in the Preferred Alternative). However, this alternative could lead to insufficient data to effectively plan for Phase II and could lead to greater economic impacts to responsible parties who may require additional personnel to implement required measures so quickly.

### Increased Regulatory Oversight Alternative

The Increased Regulatory Oversight Alternative is defined as the Preferred Alternative with greater regulatory oversight, including more frequent submission of reports by responsible parties to the Regional Board and more intense monitoring (e.g., more stations). This alternative would decrease existing pathogen levels, reduce the human health threat, protect beneficial uses, and result in no impact upon biological resources (as in the Preferred Alternative). However, this alternative could be unnecessarily burdensome on the regulated community, and exhaustive of limited Regional Board staff resources.

### Comparison of Alternatives

Table 1 compares the alternatives in key areas.

**Table 1. Comparison of Alternatives**

| <b>Alternative</b>             | <b>Impact on Biological Resources</b> | <b>Impact on Human Health</b> | <b>Impact on Responsible Parties</b> | <b>Objectives Met?</b>                               |
|--------------------------------|---------------------------------------|-------------------------------|--------------------------------------|--|
| Preferred Alternative          | No impact                             | Beneficial                    | Less than significant                | Objectives met                                       |
| No Action                      | No impact                             | Adverse                       | No impact                            | Objectives not met                                   |
| Faster Compliance Timeline     | No impact                             | Beneficial                    | Potentially significant              | Objectives met faster than in Preferred Alternative  |
| Increased Regulatory Oversight | No impact                             | Beneficial                    | Potentially significant              | Objectives met in same time as Preferred Alternative |

## REFERENCES

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